

Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO₂ emission performance standards for new heavy-duty vehicles and amending Regulations (EC) No 595/2009 and (EU) 2018/956 of the European Parliament and of the Council and Council Directive 96/53/EC (Text with EEA relevance)

Article 1

Subject matter and objective

In order to contribute to achieving the Union's target of reducing its greenhouse gas emissions by 30 % below 2005 levels in 2030 in the sectors covered by Article 2 of Regulation (EU) 2018/842 and to achieving the objectives of the Paris Agreement, and to ensure the proper functioning of the internal market, this Regulation sets CO₂ emission performance requirements for new heavy-duty vehicles whereby the specific CO₂ emissions of the Union fleet of new heavy-duty vehicles shall be reduced compared to the reference CO₂ emissions as follows:

- (a) for the reporting periods of the year 2025 onwards by 15 %;
- (b) for the reporting periods of the year 2030 onwards by 30 %, unless decided otherwise pursuant to the review referred to in Article 15.

The reference CO₂ emissions shall be based on the monitoring data reported pursuant to Regulation (EU) 2018/956 for the period from 1 July 2019 to 30 June 2020 ('the reference period'), excluding vocational vehicles, and shall be calculated in accordance with point 3 of Annex I to this Regulation.

Article 2

Scope

1 This Regulation shall apply to new heavy-duty vehicles of categories N₂ and N₃ that meet the following characteristics:

- a rigid lorries with an axle configuration of 4×2 and a technically permissible maximum laden mass exceeding 16 tonnes;
- b rigid lorries with an axle configuration of 6×2;
- c tractors with an axle configuration of 4x2 and a technically permissible maximum laden mass exceeding 16 tonnes; and
- d tractors with an axle configuration of 6x2.

It shall also apply, for the purposes of Article 5 of, and point 2.3 of Annex I to, this Regulation, to new heavy-duty vehicles of category N that do not fall within the scope of Regulation (EU) No 510/2011 of the European Parliament and of the Council⁽¹⁾ and do not meet the characteristics set out in points (a) to (d) of the first subparagraph.

The vehicle categories referred to in the first and second subparagraphs of this paragraph refer to the vehicle categories as defined in Annex II to Directive 2007/46/EC of the European Parliament and of the Council⁽²⁾.

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

2 The vehicles referred to paragraph 1 shall, for the purposes of this Regulation, be considered as new heavy-duty vehicles in a given 12-month period starting from 1 July, if they are registered in the Union for the first time in that period and have not been previously registered outside the Union.

A previous registration outside the Union made less than three months before registration in the Union shall not be taken into account.

3 The Commission shall, by means of implementing acts, adopt a specific procedure for identifying heavy-duty vehicles that are certified as vocational vehicles pursuant to Regulation (EC) No 595/2009 and its implementing measures but are not registered as such, and shall apply corrections to the annual average specific CO₂ emissions of a manufacturer to take those vehicles into account, starting from the reporting period of the year 2021 and for each subsequent reporting period. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16(2) of this Regulation.

Article 3

Definitions

For the purposes of this Regulation, the following definitions apply:

- (1) ‘reference CO₂ emissions’ means the average of the specific CO₂ emissions in the reference period referred to in the second paragraph of Article 1 of all new heavy-duty vehicles in each of the vehicle sub-groups, excluding vocational vehicles, determined in accordance with point 3 of Annex I;
- (2) ‘specific CO₂ emissions’ means the CO₂ emissions of an individual heavy-duty vehicle determined in accordance with point 2.1 of Annex I;
- (3) ‘reporting period of the year Y’ means the period from 1 July of the year Y to 30 June of the year Y+1;
- (4) ‘average specific CO₂ emissions’ means the average of the specific CO₂ emissions of a manufacturer’s new heavy-duty vehicles in a given reporting period determined in accordance with point 2.7 of Annex I;
- (5) ‘specific CO₂ emissions target’ means the CO₂ emissions target of an individual manufacturer, expressed in g/tkm and determined annually for the preceding reporting period in accordance with point 4 of Annex I;
- (6) ‘rigid lorry’ means a lorry that is not designed or constructed for the towing of a semi-trailer;
- (7) ‘tractor’ means a tractor unit that is designed and constructed exclusively or principally to tow semi-trailers;
- (8) ‘vehicle sub-group’ means a grouping of vehicles as defined in point 1 of Annex I, that are characterised by a common and distinctive set of technical criteria relevant for determining the CO₂ emissions and fuel consumption of those vehicles;
- (9) ‘vocational vehicle’ means a heavy-duty vehicle for which the CO₂ emissions and fuel consumption have been determined, in accordance with Regulation (EC) No 595/2009 and its implementing measures, only for mission profiles other than those defined in point 2.1 of Annex I to this Regulation;

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

- (10) ‘manufacturer’ means the person or body responsible for submitting the data related to new heavy-duty vehicles pursuant to Article 5 of Regulation (EU) 2018/956 or, in the case of zero-emission heavy-duty vehicles, the person or body responsible to the approval authority for all aspects of the EC whole vehicle type-approval procedure or of the individual approval procedure in accordance with Directive 2007/46/EC and for ensuring conformity of production;
- (11) ‘zero-emission heavy-duty vehicle’ means a heavy-duty vehicle without an internal combustion engine, or with an internal combustion engine that emits less than 1 g CO₂/kWh as determined in accordance with Regulation (EC) No 595/2009 and its implementing measures, or which emits less than 1 g CO₂/km as determined in accordance with Regulation (EC) No 715/2007 of the European Parliament and of the Council⁽³⁾ and its implementing measures;
- (12) ‘low-emission heavy-duty vehicle’ means a heavy-duty vehicle, other than a zero-emission heavy-duty vehicle, with specific CO₂ emissions of less than half of the reference CO₂ emissions of all vehicles in the vehicle sub-group to which the heavy-duty vehicle belongs, as determined in accordance with point 2.3.3 of Annex I;
- (13) ‘mission profile’ means a combination of a target speed cycle, a payload value, a body or trailer configuration and other parameters, if applicable, reflecting the specific use of a vehicle, on the basis of which official CO₂ emissions and fuel consumption of a heavy-duty vehicle are determined;
- (14) ‘target speed cycle’ means the description of the vehicle velocity, which the driver wants to reach or to which he is limited by traffic conditions, as a function of the distance covered in a trip;
- (15) ‘payload’ means the weight of the goods that a vehicle is carrying under different conditions.

Article 4

Average specific CO₂ emissions of a manufacturer

Starting from 1 July 2020, and in each subsequent reporting period, the Commission shall determine for each manufacturer the average specific CO₂ emissions in g/tkm for the preceding reporting period, by taking the following into account:

- (a) the data reported pursuant to Regulation (EU) 2018/956 for the manufacturer’s new heavy-duty vehicles registered in the preceding reporting period, excluding vocational vehicles; and
- (b) the zero- and low-emission factor determined in accordance with Article 5.

The average specific CO₂ emissions shall be determined in accordance with point 2.7 of Annex I.

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

Article 5

Zero- and low-emission heavy-duty vehicles

1 Starting from 1 July 2020 and for each subsequent reporting period, the Commission shall determine for each manufacturer the zero- and low-emission factor for the preceding reporting period.

The zero- and low-emission factor shall take into account the number and the CO₂ emissions of zero- and low-emission heavy-duty vehicles in the manufacturer's fleet in a reporting period, including zero-emission heavy-duty vehicles referred to in the second subparagraph of Article 2(1), as well as zero- and low-emission vocational vehicles and shall be determined in accordance with point 2.3 of Annex I.

2 For the reporting periods 2019 to 2024, the zero- and low-emission heavy-duty vehicles shall be counted as follows for the purposes of paragraph 1:

- a a zero-emission heavy-duty vehicle shall be counted as two vehicles; and
- b a low-emission heavy-duty vehicle shall be counted as up to two vehicles according to a function of its specific CO₂ emissions and the low-emission threshold of the vehicle sub-group to which the vehicle belongs as defined in point 2.3.3 of Annex I.

The zero- and low-emission factor shall be determined in accordance with point 2.3.1 of Annex I.

3 For the reporting periods from 2025, onwards the zero- and low-emission factor shall be determined on the basis of a 2 % benchmark in accordance with point 2.3.2 of Annex I.

4 The zero- and low-emission factor shall reduce the average specific CO₂ emissions of a manufacturer by a maximum of 3 %. The contribution of the zero-emission heavy-duty vehicles referred to in the second subparagraph of Article 2(1) to that factor shall reduce the average specific CO₂ emissions of a manufacturer by a maximum of 1,5 %.

Article 6

Specific CO₂ emissions targets of a manufacturer

Starting from 1 July 2026 and in each subsequent reporting period, the Commission shall determine for each manufacturer a specific CO₂ emissions target for the preceding reporting period. That specific CO₂ emissions target shall be the sum, over all vehicle sub-groups, of the products of the following values:

- (a) the CO₂ emissions reduction target referred to in point (a) or (b) of the first paragraph of Article 1, as applicable;
- (b) the reference CO₂ emissions;
- (c) the manufacturer's share of vehicles in each vehicle sub-group;
- (d) the annual mileage and payload weighting factors applied to each vehicle sub-group.

The specific CO₂ emissions target shall be determined in accordance with point 4 of Annex I.

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

Article 7

Emission credits and emission debts

1 For the purpose of determining a manufacturer's compliance with its specific CO₂ emissions targets in the reporting periods of the years 2025 to 2029, account shall be taken of its emission credits or emission debts determined in accordance with point 5 of Annex I, which correspond to the number of new heavy-duty vehicles, excluding vocational vehicles, of the manufacturer in a reporting period, multiplied by:

- a the difference between the CO₂ emissions reduction trajectory as referred to in paragraph 2 and the average specific CO₂ emissions of that manufacturer, if that difference is positive ('emission credits'); or
- b the difference between the average specific CO₂ emissions and the specific CO₂ emissions target of that manufacturer, if that difference is positive ('emission debts').

Emission credits shall be acquired in the reporting periods of the years 2019 to 2029. However, the emission credits acquired in the reporting periods of the years 2019 to 2024 shall be taken into account for the purpose of determining the manufacturer's compliance with the specific CO₂ emissions target of the reporting period of the year 2025 only.

Emission debts shall be acquired in the reporting periods of the years 2025 to 2029. However, the total emission debt of a manufacturer shall not exceed 5 % of the manufacturer's specific CO₂ emissions target in the reporting period of the year 2025 multiplied by the number of heavy-duty vehicles of the manufacturer in that period ('emission debt limit').

Emission credits and emission debts acquired in the reporting periods of the years 2025 to 2028 shall, where applicable, be carried-over from one reporting period to the next reporting period. Any remaining emission debts shall be cleared in the reporting period of the year 2029.

2 The CO₂ emissions reduction trajectory shall be set for each manufacturer in accordance with point 5.1 of Annex I, based on a linear trajectory between the reference CO₂ emissions referred to in the second paragraph of Article 1 and the CO₂ emissions target for the reporting period of the year 2025 as specified in point (a) of the first paragraph of that Article, and between the CO₂ emissions target for the reporting period of the year 2025 and the CO₂ emissions target for the reporting periods of the year 2030 onwards as specified in point (b) of the first paragraph of that Article.

Article 8

Compliance with the specific CO₂ emissions targets

1 Where a manufacturer is found, pursuant to paragraph 2, to have excess CO₂ emissions in a given reporting period from 2025 onwards, the Commission shall impose an excess CO₂ emissions premium, calculated in accordance with the following formula:

- a from 2025 to 2029,
(Excess CO₂ emissions premium) = (Excess CO₂ emissions × 4 250 EUR/gCO₂/tkm)
- b from 2030 onwards,

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

(Excess CO₂ emissions premium) = (Excess CO₂ emissions × 6 800 EUR/gCO₂/tkm).

2 A manufacturer shall be deemed to have excess CO₂ emissions in any of the following cases:

- a where, in any of the reporting periods of the years 2025 to 2028, the sum of the emission debts reduced by the sum of the emission credits exceeds the emission debt limit referred to in the third subparagraph of Article 7(1);
- b where, in the reporting period of the year 2029, the sum of the emission debts reduced by the sum of the emission credits is positive;
- c where, from the reporting period of the year 2030 onwards, the manufacturer's average specific CO₂ emissions exceed its specific CO₂ emissions target.

The excess CO₂ emissions in a given reporting period shall be calculated in accordance with point 6 of Annex I.

3 The Commission shall, by means of implementing acts, determine the means for collecting excess CO₂ emissions premiums under paragraph 1 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16(2).

4 The excess CO₂ emissions premiums shall be considered as revenue for the general budget of the European Union.

Article 9

Verification of the monitoring data

1 Type-approval authorities shall, without delay, report to the Commission any deviations in the CO₂ emission values of heavy-duty vehicles in service as compared to the values that are indicated in certificates of conformity or in the customer information file referred to in Article 9(4) of Regulation (EU) 2017/2400 as a result of verifications performed in accordance with the procedure referred to in Article 13 of this Regulation.

2 The Commission shall take the deviations referred to in paragraph 1 into account for the purpose of calculating the average specific CO₂ emissions of a manufacturer.

3 The Commission shall, by means of implementing acts, adopt detailed rules on the procedures for reporting such deviations and for taking them into account in the calculation of the average specific CO₂ emissions. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16(2).

Article 10

Assessment of reference CO₂ emissions

In order to ensure the robustness and representativeness of the reference CO₂ emissions as a basis for determining the Union fleet-wide CO₂ emissions targets, the Commission shall, by means of implementing acts, establish the methodology for assessing the application of the conditions under which the reference CO₂ emissions have been determined and establish the criteria to determine whether those emissions have been unduly increased and, if so, how they are to be corrected.

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16(2).

Article 11

Publication of data and manufacturer performance

1 By 30 April each year, the Commission shall, by means of implementing acts, publish a list indicating:

- a from 1 July 2020, for each manufacturer, its average specific CO₂ emissions in the preceding reporting period, as referred to in Article 4;
- b from 1 July 2020, for each manufacturer, its zero- and low-emission factor in the preceding reporting period, as referred to in Article 5(1);
- c from 1 July 2026, for each manufacturer, its specific CO₂ emissions target for the preceding reporting period, as referred to in Article 6;
- d from 1 July 2020 until 30 June 2031, for each manufacturer, its CO₂ emissions reduction trajectory, its emission credits and, from 1 July 2026 until 30 June 2031, its emission debts in the preceding reporting period, as referred to in Article 7;
- e from 1 July 2026, for each manufacturer, its excess CO₂ emissions in the preceding reporting period, as referred to in Article 8(1);
- f from 1 July 2020, the average specific CO₂ emissions of all new heavy-duty vehicles registered in the Union in the preceding reporting period.

The list to be published by 30 April 2021 shall include the reference CO₂ emissions referred to in the second paragraph of Article 1.

2 The Commission shall adopt delegated acts in accordance with Article 17 to adjust the reference CO₂ emissions in accordance with the following:

- a where the mission profile weights or the payload values have been adjusted pursuant to point (b) or (c) of Article 14(1), by applying the procedure set out in point 1 of Annex II;
- b where adjustment factors have been determined pursuant to Article 14(2), by applying those adjustment factors to the reference CO₂ emissions;
- c where an undue increase in the reference CO₂ emissions has been determined in accordance with the methodology referred to in Article 10, by correcting the reference CO₂ emissions by 30 April 2022.

The Commission shall publish the adjusted reference CO₂ emissions values and shall apply those values for the calculation of the manufacturer specific CO₂ emissions targets applicable in the reporting periods starting from the date of application of the delegated acts adjusting the values.

Article 12

Real-world CO₂ emissions and energy consumption

1 The Commission shall monitor and assess the real-world representativeness of the CO₂ emissions and energy consumption values determined within the framework of Regulation (EC) No 595/2009.

Furthermore, the Commission shall regularly collect data on the real-world CO₂ emissions and energy consumption of heavy-duty vehicles using on-board fuel and/or energy consumption monitoring devices, starting with new heavy-duty vehicles

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

registered from the date of application of the measures referred to in point (b) of Article 5c of Regulation (EC) No 595/2009.

The Commission shall ensure that the public is informed of how that representativeness evolves over time.

2 For the purpose of paragraph 1 of this Article, the Commission shall ensure that the following parameters relating to real-world CO₂ emissions and energy consumption of heavy-duty vehicles are made available to it at regular intervals, starting from the date of application of the measures referred to in point (b) of Article 5c of Regulation (EC) No 595/2009, by manufacturers, national authorities or through direct data transfer from vehicles, as the case may be:

- a vehicle identification number;
- b fuel and electric energy consumed;
- c total distance travelled;
- d payload;
- e for externally chargeable hybrid electric heavy-duty vehicles, the fuel and electric energy consumed, and the distance travelled distributed over the different driving modes;
- f other parameters necessary to ensure that the obligations set out in paragraph 1 of this Article can be met.

The Commission shall process the data received under the first subparagraph of this paragraph to create an anonymised and aggregated dataset, including per manufacturer, for the purposes of paragraph 1. The vehicle identification numbers shall be used only for the purpose of that data processing and shall not be retained longer than needed for that purpose.

3 In order to prevent the real-world emissions gap from growing, the Commission shall, not later than two years and five months following the date of application of the measures referred to in point (b) of Article 5c of Regulation (EC) No 595/2009, assess how fuel and energy consumption data may be used to ensure that the vehicle CO₂ emission and energy consumption values determined pursuant to that Regulation remain representative of real-world emissions over time for each manufacturer.

The Commission shall monitor and report annually on how the gap referred to in the first subparagraph evolves, and shall, with a view to preventing an increase in that gap, assess, in 2027, the feasibility of a mechanism to adjust the manufacturer's average specific CO₂ emissions as of 2030, and, if appropriate, submit a legislative proposal to put such a mechanism in place.

4 The Commission shall adopt, by means of implementing acts, the detailed procedure for collecting and processing the data referred to in paragraph 2 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16(2).

Article 13

Verification of the CO₂ emissions of heavy-duty vehicles in-service

1 Manufacturers shall ensure that the CO₂ emission and fuel consumption values recorded in the customer information file referred to in Article 9(4) of Regulation (EU)

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

2017/2400 correspond to the CO₂ emissions from and fuel consumption of heavy-duty vehicles in-service as determined in accordance with that Regulation.

2 Following the entry into force of the procedures referred to in paragraph 4, type-approval authorities shall verify, for those manufacturers to which they have granted a licence to operate the simulation tool in accordance with Regulation (EC) No 595/2009 and its implementing measures, on the basis of appropriate and representative vehicle samples, that the CO₂ emission and fuel consumption values recorded in the customer information files correspond to the CO₂ emissions from and fuel consumption of heavy-duty vehicles in-service as determined in accordance with that Regulation and its implementing measures, while considering, inter alia, using available data from on-board fuel and/or energy consumption monitoring devices.

Type-approval authorities shall also verify the presence of any strategies on board or relating to the sampled vehicles that artificially improve the vehicle's performance in the tests performed or in the calculations made for the purpose of certifying the CO₂ emissions and fuel consumption by, inter alia, using data from on-board fuel and/or energy consumption monitoring devices.

3 Where a lack of correspondence of CO₂ emission and fuel consumption values which cannot be attributed to a malfunctioning of the simulation tool, or the presence of any strategies artificially improving a vehicle's performance, is found as a result of the verifications performed pursuant to paragraph 2, the responsible type-approval authority shall, in addition to taking the necessary measures set out in Chapter XI of Regulation (EU) 2018/858, ensure that the customer information files, the certificates of conformity and the individual approval certificates are corrected, as the case may be.

4 The Commission shall determine, by means of implementing acts, the procedures for performing the verifications referred to in paragraph 2 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16(2).

The Commission is empowered, prior to adopting the implementing acts referred to in the first subparagraph, to adopt a delegated act in accordance with Article 17, in order to supplement this Regulation by setting out the guiding principles and criteria for defining the procedures referred to in the first subparagraph.

Article 14

Amendments to Annexes I and II

1 In order to ensure that the technical parameters used for the calculation of the average specific CO₂ emissions of a manufacturer pursuant to Article 4 and the calculation of the specific CO₂ emissions targets pursuant to Article 6 take into account technical progress and the evolution of freight transport logistics, the Commission is empowered to adopt delegated acts in accordance with Article 17 to amend the following provisions set out in Annexes I and II:

- a the entries for cab type and engine power set out in Table 1 of Annex I and the definitions of 'sleeper cab' and 'day cab' referred to in that Table;
- b the mission profile weights set out in Table 2 of Annex I;
- c the payload values set out in Table 3 of Annex I, and the payload adjustment factors set out in Table 1 of Annex II;
- d the annual mileage values set out in Table 4 of Annex I.

2 Where the type-approval procedures laid down in Regulation (EC) No 595/2009 and its implementing measures are modified by amendments other than those referred to in points

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

(b) and (c) of paragraph 1 of this Article in such a way that the level of the CO₂ emissions of the representative vehicles defined pursuant to this paragraph increase or decrease by more than 5 g CO₂/km, the Commission shall, in accordance with point (b) of the first subparagraph of Article 11(2), apply an adjustment factor to the reference CO₂ emissions that is to be calculated in accordance with the formula set out in point 2 of Annex II.

3 The Commission shall, by means of implementing acts, establish a methodology for defining one or more representative vehicles of a vehicle sub-group, including their statistical weightings, on the basis of which the adjustment referred to in paragraph 2 of this Article shall be determined, taking into account the monitoring data reported pursuant to Regulation (EU) 2018/956 and the technical characteristics of the vehicles listed in Article 12(1) of Regulation (EU) 2017/2400. Those implementing acts shall be adopted in accordance with the examination procedure set out in Article 16(2) of this Regulation.

Article 15

Review and report

1 By 31 December 2022, the Commission shall submit a report to the European Parliament and to the Council on the effectiveness of this Regulation, on the CO₂ emissions reduction target and the level of the incentive mechanism for zero- and low-emission heavy-duty vehicles applicable from 2030, on setting CO₂ emissions reduction targets for other types of heavy-duty vehicles, including trailers, buses and coaches, and vocational vehicles, and on the introduction of binding CO₂ emissions reduction targets for heavy-duty vehicles for 2035 and 2040 onwards. The 2030 target shall be assessed in accordance with the European Union commitments under the Paris Agreement.

2 The report referred to in paragraph 1 of this Article shall also, in particular, include the following:

- a an assessment of the effectiveness of the system of emission credits and emission debts referred to in Article 7 and the appropriateness of extending its application to 2030 and beyond;
- b an assessment of the deployment of zero- and low-emission heavy-duty vehicles, taking into account the targets set out in Directive 2009/33/EC, as well as relevant parameters and conditions affecting the placing on the market of such heavy-duty vehicles;
- c an assessment of the effectiveness of the incentive mechanism for zero- and low-emission heavy-duty vehicles set out in Article 5 and the appropriateness of its different elements, with a view to adjusting it for the period after 2025 towards a possible differentiation by zero-emission driving range and vehicle sub-group, combined with mileage payload weighting factors, with a date of application that provides at least three years of lead time;
- d an assessment of the roll-out of the necessary recharging and refuelling infrastructure, of the possibility of introducing engine CO₂ emission performance standards, in particular for vocational vehicles, and of the real-world representativeness of the CO₂ emission and fuel consumption values determined in accordance with Regulation (EU) 2017/2400;
- e strictly for the purpose of this Regulation, considerations of heavy-duty vehicles and vehicle combinations taking into account weights and dimensions applicable to national transport, for example modular and intermodal concepts, while also assessing possible transport safety and efficiency aspects, intermodal, environmental, infrastructural and rebound effects as well as the geographical situation of Member States;

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

- f an assessment of the VECTO simulation tool to ensure that this tool is updated continually and in a timely manner;
 - g an assessment of the possibility of developing a specific methodology to include the potential contribution to CO₂ emissions reductions of the use of synthetic and advanced alternative liquid and gaseous renewable fuels, including e-fuels, produced with renewable energy and meeting the sustainability and greenhouse gas emissions saving criteria referred to in Directive (EU) 2018/2001 of the European Parliament and of the Council⁽⁴⁾;
 - h an assessment of the feasibility of introducing an open, transparent and non-discriminatory pooling mechanism between manufacturers;
 - i an assessment of the level of the excess CO₂ emissions premium to ensure that it exceeds the average marginal costs of the technologies needed to meet the CO₂ emissions targets.
- 3 The report referred to in paragraph 1 shall, where appropriate, be accompanied by a legislative proposal to amend this Regulation.

4 As part of the evaluation pursuant to Article 15(5) of Regulation (EU) 2019/631, the Commission shall evaluate the possibility to assign the revenues from the excess CO₂ emissions premiums to a specific fund or a relevant programme, with the objective of ensuring a just transition towards a climate-neutral economy as referred to in Article 4.1 of the Paris Agreement, in particular to support re-skilling, up-skilling and other skills training and reallocation of workers in the automotive sector in all affected Member States, in particular in the regions and the communities most affected by the transition. The Commission shall, if appropriate, submit a legislative proposal to that effect by 2027 at the latest.

5 The Commission shall, not later than 2023, evaluate the possibility of developing a common Union methodology for the assessment, and the consistent data reporting, of the full life-cycle CO₂ emissions of new heavy-duty vehicles that are placed on the Union market. The Commission shall transmit that evaluation, including where appropriate proposals for follow-up measures, such as legislative proposals, to the European Parliament and to the Council.

Article 16

Committee procedure

1 The Commission shall be assisted by the Climate Change Committee referred to in point (a) of Article 44(1) of Regulation (EU) 2018/1999 of the European Parliament and of the Council⁽⁵⁾. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2 Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

3 Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.

Article 17

Exercise of the delegation

1 The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

2 The power to adopt delegated acts referred to in Article 11(2), the second subparagraph of Article 13(4) and Article 14(1) shall be conferred on the Commission for a period of five years from 14 August 2019. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3 The delegation of power referred to in Article 11(2), the second subparagraph of Article 13(4) and Article 14(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated act already in force.

4 Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5 As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6 A delegated act adopted pursuant to Article 11(2), the second subparagraph of Article 13(4) and Article 14(1) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 18

Amendments to Regulation (EC) No 595/2009

Regulation (EC) No 595/2009 is amended as follows:

- (1) in Article 2, first paragraph, the following sentence is added:

It shall also apply, for the purpose of Articles 5a, 5b, and 5c, to vehicles of categories O₃ and O₄;
- (2) the following Articles are inserted:

Article 5a

Specific requirements for manufacturers with regard to the environmental performance of vehicles of categories M₂, M₃, N₂, N₃, O₃ and O₄

- 1 Manufacturers shall ensure that new vehicles of categories O₃ and O₄ that are sold, registered or put into service meet the following requirements:
 - a the influence of those vehicles on the CO₂ emissions, fuel consumption, electric consumption and zero-emission driving range of motor vehicles is determined in accordance with the methodology referred to in point (a) of Article 5c;

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

- b they are fitted with on-board devices for the monitoring and recording of the payload in accordance with the requirements referred to in point (b) of Article 5c.
- 2 Manufacturers shall ensure that new vehicles of categories M₂, M₃, N₂ and N₃ that are sold, registered or put into service are fitted with on-board devices for the monitoring and recording of fuel and/or energy consumption, payload and mileage in accordance with the requirements referred to in point (b) of Article 5c.

They shall also ensure that the zero-emission driving range and electricity consumption of those vehicles are determined in accordance with the methodology referred to in point (c) of Article 5c.

Article 5b

Specific requirements for Member States with regard to the environmental performance of vehicles of categories M₂, M₃, N₂, N₃, O₃ and O₄

- 1 National authorities shall, in accordance with the implementing measures referred to in Article 5c, refuse to grant EC type-approval or national type-approval in respect of new vehicle types of categories M₂, M₃, N₂, N₃, O₃ and O₄ which do not comply with the requirements set out in those implementing measures.
- 2 National authorities shall, in accordance with the implementing measures referred to in Article 5c, prohibit the sale, registration or entry into service of new vehicles of categories M₂, M₃, N₂, N₃, O₃ and O₄ which do not comply with the requirements set out in those implementing measures.

Article 5c

Measures for determining certain aspects of the environmental performance of vehicles of categories M₂, M₃, N₂, N₃, O₃ and O₄

By 31 December 2021, the Commission shall, by means of implementing acts, adopt the following measures:

- (a) a methodology for assessing the performance of vehicles of categories O₃ and O₄ with regard to their influence on the CO₂ emissions, fuel consumption, electricity consumption and zero-emission driving ranges of motor vehicles;
- (b) technical requirements for the fitting of on-board devices for the monitoring and recording of fuel and/or energy consumption and mileage of motor vehicles of categories M₂, M₃, N₂ and N₃, and for determining and recording the payloads or total weight of vehicles meeting the characteristics set out in point (a), (b), (c) or (d) of the first subparagraph of Article 2(1) of Regulation (EU) 2019/1242 of the European Parliament and of the Council⁽⁶⁾ and of their combinations with category O₃ and O₄ vehicles, including the transmission of data between vehicles within a combination, as necessary;
- (c) a methodology for determining the zero-emission driving range and electricity consumption of new vehicles of categories M₂, M₃, N₂ and N₃.

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13a.;

- (3) the following Article is added:

Article 13a

Committee procedure

1 The Commission shall be assisted by the Technical Committee for Motor Vehicles established by Regulation (EU) 2018/858 of the European Parliament and of the Council⁽⁷⁾. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2 Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

3 Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply..

Article 19

Amendments to Regulation (EU) 2018/956

Regulation (EU) 2018/956 is amended as follows:

- (1) Article 3 is replaced by the following:

Article 3

Definitions

For the purposes of this Regulation, the definitions set out in Directive 2007/46/EC of the European Parliament and of the Council⁽⁸⁾, in Regulation (EC) No 595/2009 and in Regulation (EU) 2019/1242 of the European Parliament and of the Council⁽⁹⁾ apply.;

- (2) in Article 4, paragraph 1 is replaced by the following:

1. Starting from 1 January 2019, Member States shall monitor the data specified in Part A of Annex I relating to new heavy-duty vehicles registered for the first time in the Union.

By 30 September each year, starting in 2020, the competent authorities of the Member States shall report those data of the previous reporting period of 1 July to 30 June to the Commission in accordance with the reporting procedure set out in Annex II.

With regard to 2019, the data reported by 30 September 2020 shall include data monitored from 1 January 2019 to 30 June 2020.

Data relating to new heavy-duty vehicles that were registered previously outside the Union shall not be monitored and reported, unless that registration was made less than three months before registration in the Union.;

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

- (3) in Article 5, paragraph 1 is replaced by the following:
1. From the starting years set out in point 1 of Part B of Annex I, manufacturers of heavy-duty vehicles shall monitor the data specified in point 2 of Part B of Annex I, for each new heavy-duty vehicle.
- By 30 September each year, from the starting years set out in point 1 of Part B of Annex I, manufacturers of heavy-duty vehicles shall report those data for each new heavy-duty vehicle with a date of simulation falling within the preceding reporting period of 1 July to 30 June to the Commission in accordance with the reporting procedure set out in Annex II.
- With regard to 2019, manufacturers shall report the data for each new heavy-duty vehicle with a date of simulation falling within the period 1 January 2019 to 30 June 2020.
- The date of simulation shall be the date reported in accordance with data entry 71 in point 2 of Part B of Annex I.;
- (4) in Article 10, paragraph 1 is replaced by the following:
1. By 30 April every year, the Commission shall publish an annual report with its analysis of the data transmitted by Member States and manufacturers for the preceding reporting period.;
- (5) in Annex II, point 3.2 is replaced by the following:
- 3.2. The data relating to heavy-duty vehicles registered in the preceding reporting period and recorded in the Register shall be made public by 30 April each year, starting from 2021, with the exception of the data entries specified in Article 6(1)..

Article 20

Amendments to Directive 96/53/EC

Directive 96/53/EC is amended as follows:

- (1) in Article 2, the following definition is inserted after the definition of ‘alternatively fuelled vehicle’:
- “zero-emission vehicle” shall mean a zero-emission heavy-duty vehicle as defined in point (11) of Article 3 of Regulation (EU) 2019/1242 of the European Parliament and of the Council⁽¹⁰⁾.;
- (2) Article 10b is replaced by the following:

Article 10b

The maximum authorised weights of alternatively fuelled or zero-emission vehicles shall be those set out in points 2.2.1, 2.2.2, 2.2.3, 2.2.4, 2.3.1, 2.3.2 and 2.4 of Annex I.

Alternatively fuelled or zero-emission vehicles shall also comply with the maximum authorised axle weight limits set out in point 3 of Annex I.

The additional weight required by alternatively fuelled or zero-emission vehicles shall be defined on the basis of the documentation provided by the manufacturer when the

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

vehicle in question is approved. That additional weight shall be indicated in the official proof required in accordance with Article 6.

The Commission shall be empowered to adopt delegated acts in accordance with Article 10h to update, for the purposes of this Directive, the list of alternative fuels referred to in Article 2 that require additional weight. It is of particular importance that the Commission follow its usual practice and carry out consultations with experts, including Member States' experts, before adopting those delegated acts.;

- (3) Annex I is amended as follows:
- (a) the following subparagraph is added to the second column of points 2.2.1, 2.2.2, 2.2.3 and 2.2.4:

In the case of vehicle combinations including alternatively fuelled or zero-emission vehicles, the maximum authorised weights provided for in this section shall be increased by the additional weight of the alternative fuel or zero-emission technology with a maximum of 1 tonne and 2 tonnes respectively.;
 - (b) the following subparagraph is added to the second column of point 2.3.1:

Zero-emission vehicles: the maximum authorised weight of 18 tonnes is increased by the additional weight of the zero-emission technology with a maximum of 2 tonnes.;
 - (c) the following subparagraph is added to the third column of point 2.3.2:

Three-axle zero-emission vehicles: the maximum authorised weight of 25 tonnes, or 26 tonnes where the driving axle is fitted with twin tyres and air suspension or suspension recognised as being equivalent within the Union as defined in Annex II or where each driving axle is fitted with twin tyres and the maximum weight of each axle does not exceed 9,5 tonnes, is increased by the additional weight of the zero-emission technology with a maximum of 2 tonnes.;
 - (d) the following subparagraph is added to the third column of point 2.4:

Three-axle articulated buses that are zero-emission vehicles: the maximum authorised weight of 28 tonnes is increased by the additional weight of the zero-emission technology with a maximum of 2 tonnes..

Article 21

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

Done at Brussels, 20 June 2019.

For the European Parliament

The President

A. TAJANI

For the Council

The President

G. CIAMBA

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

- (1) Regulation (EU) No 510/2011 of the European Parliament and of the Council of 11 May 2011 setting emission performance standards for new light commercial vehicles as part of the Union's integrated approach to reduce CO₂ emissions from light-duty vehicles ([OJ L 145, 31.5.2011, p. 1](#)).
- (2) Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) ([OJ L 263, 9.10.2007, p. 1](#)).
- (3) Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information ([OJ L 171, 29.6.2007, p. 1](#)).
- (4) Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources ([OJ L 328, 21.12.2018, p. 82](#)).
- (5) Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council ([OJ L 328, 21.12.2018, p. 1](#)).
- (6) Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO₂ emission performance standards for new heavy-duty vehicles and amending Regulations (EC) No 595/2009 and (EU) 2018/956 of the European Parliament and of the Council and Council Directive 96/53/EC ([OJ L 198, 25.7.2019, p. 202](#)).';
- (7) Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC ([OJ L 151, 14.6.2018, p. 1](#)).';
- (8) Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) ([OJ L 263, 9.10.2007, p. 1](#)).
- (9) Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO₂ emission performance standards for new heavy-duty vehicles and amending Regulations (EC) No 595/2009 and (EU) 2018/956 of the European Parliament and of the Council and Council Directive 96/53/EC ([OJ L 198, 25.7.2019, p. 202](#)).';
- (10) Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO₂ emission performance standards for new heavy-duty vehicles and amending Regulations (EC) No 595/2009 and (EU) 2018/956 of the European Parliament and of the Council and Council Directive 96/53/EC ([OJ L 198, 25.7.2019, p. 202](#)).';

Status:

Point in time view as at 31/01/2020.

Changes to legislation:

There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.